IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

OP.No. 23436 of 2001(M)

PETITIONER:

KOODATHIL BASHEER,
KOODATHIL HOUSE,
PANDALAM P.O.,
KUNNAMANGALAM,
KOZHIKODE DIST.

BY ADV. SRI.A.K.JAYASANKAR NAMBIAR

RESPONDENTS:
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1. **THE UNION OF INDIA, REP. BY THE SECRETARY,**
   MINISTRY OF FINANCE (DEPARTMENT OF REVENUE),
   NORTH BLOCK, NEW DELHI- 110 001.

2. **THE COMMISSIONER OF CENTRAL EXCISE,**
   CALICUT COMMISSIONERATE,
   C.R. BUILDINGS, MANACHIRA, CALICUT- 673 001,
   KERALA.

3. **THE CUSTOMS, EXCISE & GOLD CONTROL APPELLATE**
   TRIBUNAL, (SOUTH ZONAL BENCH) WTC BUILDINGS,
   IST FLOOR, K.G. ROAD, BANGALORE- 09.

BY ADV.SRI.JOHN VARGHESE, SCGSC

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 16/03/2007, ALONG WITH OP NO. 32998 OF 2001 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP NO. 38436/2001 IN OP NO. 23436/2001 M.

DISMISSED

16/03/2007. **SD/- KURIAN JOSEPH, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER OF THE R2 BY ORDER ORIGINAL NO. 4/2000 DT. 6/12/00.

EXT.P2. COPY OF THE STAY ORDER OF THE R3 DT. 29/5/2001.

EXT.P3. COPY OF THE NOTICE DT. 21/07/2001 RECEIVED BY THE PETITIONER ON 26/7/2001.

True copy

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KURIAN JOSEPH, J.

O.P.Nos.23436 & 32998 of 2001

Dated this the 16th day of March, 2007

JUDGMENT

Petitioners approached this court aggrieved by the directions issued by the respondent Tribunal in the matter of pre-deposit as a condition for hearing the appeals. It is seen that there is an interim order in both the cases. There will be a direction to the Tribunal to dispose of the appeals referred to in the impugned orders, without insisting for the pre-deposit, within a period of four months from the date of receipt of a copy of the judgment.

The writ petitions are disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.Nos.23436 & 32998/2001

JUDGMENT

16th March, 2007